

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**MICHAEL PRYOR**

**PLAINTIFF**

**v.**

**No. 3:23-cv-00226-MPM-RP**

**J.B. HUNT TRANSPORT SERVICES, INC.**

**DEFENDANT**

**ORDER**

On June 22, 2023, Magistrate Judge Roy Percy entered a Report and Recommendation [4] (“R&R”) recommending the denial of plaintiff’s motion to proceed *in forma pauperis* [2]. After the R&R was entered, Plaintiff filed a notice of appeal [5] and motion to appeal *in forma pauperis* [6]. On August 8, 2023, the Fifth Circuit dismissed Plaintiff’s appeal for want of prosecution [10].

After reviewing the record, the Court finds that the R&R was duly served on all parties, that more than fourteen days have elapsed since such service, and that no objection has since been filed or served by the parties. Magistrate Judge Percy’s R&R should be approved and adopted as the opinion of the court. Additionally, in light of the Fifth Circuit’s ruling, Plaintiff’s motion to appeal *in forma pauperis* should be denied as moot.

It is, therefore, **ORDERED** that Plaintiff’s motion to appeal *in forma pauperis* [6] is **DENIED** as **MOOT**; the Report and Recommendation of the United States Magistrate Judge [4] is **APPROVED** and **ADOPTED** as the opinion of the Court; and Plaintiff’s motion to proceed *in forma pauperis* [2] is **DENIED**. The plaintiff shall pay the filing costs on or before October 11, 2023. If the plaintiff fails to do so, this action shall be dismissed without prejudice.

**SO ORDERED** this 13<sup>th</sup> day of September, 2023.

/s/ Michael P. Mills

UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF MISSISSIPPI